

IN THE UNITED STATES DISTRICT COURT

FILED  
U.S. DISTRICT COURT  
AUGUSTA DIV.

FOR THE SOUTHERN DISTRICT OF GEORGIA

2008 SEP -4 A 10:57

DUBLIN DIVISION

CLERK *B. McCarthy*  
SOUTHERN DISTRICT OF GEORGIA

CLARENCE HENRY DANIELS,	)	
	)	
Petitioner,	)	
	)	
v.	)	CV 308-042
	)	
DAVID FRAZIER, Warden,	)	
	)	
Respondent.	)	

---

**O R D E R**

---

After a careful, *de novo* review of the file, the Court concurs with the Magistrate Judge's Report and Recommendation, to which objections have been filed. Accordingly, the Report and Recommendation of the Magistrate Judge is **ADOPTED** as the opinion of the Court. Therefore, Petitioner's motion for injunctive relief is **DENIED**, Petitioner's motion to proceed *in forma pauperis* is **MOOT**, Thomas Gramiak and Thurbert Baker are **DISMISSED** as improper party Respondents, this case is **DISMISSED** without prejudice, and this civil action is **CLOSED**.

SO ORDERED this 7th day of September, 2008, at Augusta, Georgia.

*Dudley H. Bowen Jr.*  
UNITED STATES DISTRICT JUDGE